

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:21CR61
vs.)	
)	
MOHAMMAD NAZMUL)	
HAQUE, RICK KELLEY, and)	ORDER
JOEY MACKE,)	
)	
Defendants.)	

This matter is before the Court on defendant, Rick Kelley's unopposed Motion to Continue Trial [79]. After consideration of the circumstances set forth in the motion, unopposed by co-defendants Mohammad Nazmul Haque and Joey Macke, the undersigned magistrate judge finds good cause for the requested continuance. Accordingly,

IT IS ORDERED that the Motion to Continue Trial [79] is granted, as follows:

1. The jury trial, **for all three defendants**, now set for September 25, 2023, is continued to **December 18, 2023**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendants in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date** and **December 18, 2023**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny continuity of counsel and counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(6), (7)(A) & (B)(iv).
3. **No further continuances will be granted without requesting a hearing before the undersigned magistrate judge.**

DATED: September 8, 2023.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge